

Paper No.

## Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 1/29/04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

## THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
- ☐ 3. Amendments to the drawings: \_\_\_\_\_
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: The word amended is not a proper status identifier.

(Currently amended) must be used for amended claims.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Timothy Bell  
Legal Instruments Examiner (LIE)

(571)272-0999  
Telephone No.



1713

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of

SUNGGYU LEE, ET AL.

Serial No. 10/042,488

Filed January 8, 2002

For POLYMERIZATION, COMPATIBILIZED  
BLENDING, AND PARTICLE SIZE  
CONTROL OF POWDER COATINGS  
IN A SUPERCRITICAL FLUID

) Group Art Unit: 1713

)

) Examiner Peter D. Mulcahy

)

) Confirmation No. 6103

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**CERTIFICATE OF MAILING**

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I hereby certify that the following correspondence was deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on February 19, 2004.

Rebecca Daugintis  
Rebecca Daugintis, sec'y to George W. Moxon II

**TRANSMITTAL SHEET**

Enclosed are the following documents:

Corrected Amendment in Response to Notice of Non-Compliant Amendment

Response to Notice of Non-Compliant Amendment

Copy of Notice of Non-Compliant Amendment

Return Receipt Postcard

**AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT**

The Director is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 50-0959 (089498-0283-DIV).

Respectfully submitted,

George W. Moxon II  
George W. Moxon II, Reg. No. 26,615  
Roetzel & Andress

222 South Main Street

Akron, Ohio 44308

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Attorney for Applicant(s)

February 19, 2004

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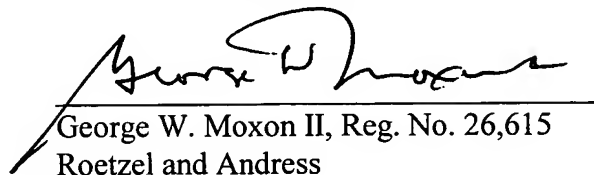
*Rebecca Daugintis*  
Rebecca Daugintis, sec'y to George W. Moxon II

**RESPONSE TO NOTICE OF  
NON-COMPLIANT AMENDMENT**

Sir:

Now comes Applicants, through their undersigned counsel, and submit herewith a corrected Amendment in response to the Notice of Non-Compliant Amendment mailed February 13, 2004, which Amendment was filed in response to the Office Action dated September 26, 2003, referencing the application by serial number and file date. While no fees should be due at this time, you are hereby authorized to charge any fees associated with this communication to Deposit Account No. 50-0959 (089498-0283-DIV). Also submitted herewith is a copy of the Notice of Non-Compliant Amendment.

Respectfully submitted

  
George W. Moxon II, Reg. No. 26,615  
Roetzel and Andress  
222 South Main St.  
Akron, Ohio 44308  
(330) 376-2700

Attorney for Applicant

February 19, 2004



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) Rebecca Daugintis  
) Rebecca Daugintis, sec'y to George W. Moxon II

**AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated September 26, 2003, the Applicants, through their attorney, respond as follows. A response was due on December 26, 2003. A one-month extension of time is enclosed to extend the period of time until January 26, 2004.

**Amendments to the Claims begin on page 2.**

**Remarks/Arguments begin on page 6.**